

FEDERAL COMMUNICATIONS COMMISSION
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MEDIA BUREAU
AUDIO DIVISION
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April 27, 2020

Tidewater Communications, LLC
73 Kercheval Avenue
Gross Pointe Farms, MI 48236

Re: Tidewater Communications, LLC
WSVA(AM), Harrisonburg, VA
Facility Identification Number: 39493
Special Temporary Authority

Dear Applicant:

This is in reference to the request filed April 24, 2020, on behalf of Tidewater Communications, LLC. ("TCL"). TCL requests special temporary authority ("STA") to operate station WSVA(AM) with parameters at variance from license values and/or reduced power.¹ TCL states that pursuant to 73.69(d)(1) of the Commission's rules, an STA is requested to commence replacement of the authorized antenna monitor.

Specifically, WSVA(AM) will replace its existing Potomac Instruments, Model AM-19(204), analog antenna monitor with a new Potomac Instruments, Model 1901-4, digital antenna monitor, pursuant to Section 73.69(1) of the Commission's Rules and Regulations. TCL states that full restoration of WSVA(AM) to the licensed antenna monitor parameters is anticipated, however, if the licensee is not able to restore WSVA(AM) to the former licensed parameters, a form 302-AM direct measurement of power and partial proof of performance will be submitted on behalf of WSVA(AM).

Accordingly, the request for STA IS HEREBY GRANTED. Station WSVA(AM) may operate with parameters at variance from licensed values and/or reduced power. Once the new monitor has been substituted for the old one, in accordance with section 73.69(d)(3) of the Commission's rules, all indications specified in paragraph (d)(2) of the section again must be read. If no change has occurred in the indication for any parameter other than the indications of the antenna monitor, the new antenna monitor indications must be deemed to be those reflecting correct array adjustments. If it cannot be established by the observations required in paragraph (d)(2) of this section that the common point current reading and the monitoring point values are within the tolerances or limits prescribed by the rules and the instrument of authorization, or if the substitution of the new antenna monitor for the old results in changes in these parameters, a partial proof of performance shall be executed and analyzed in accordance with §73.154. In addition, an informal letter request for modification of license shall be submitted to the FCC, Attention: Audio Division, Media Bureau in Washington, DC within 30 days of the date of monitor replacement. Such request shall specify the make, type, and serial

¹ WSVA(AM) is licensed for operation on 550 kHz with a daytime power of 5 kilowatts and a nighttime power of 1 kilowatt, employing a directional antenna pattern at night (DAN-U).

number of the replacement monitor, phase and sample current indications, and other data obtained pursuant to this paragraph (d). It will be necessary to further reduce power or cease operation if complaints of interference are received. TCL must use whatever means are necessary to protect workers and the public from exposure to radio frequency radiation in excess of the Commission's exposure guidelines. *See* 47 CFR § 1.1310.

This authority expires on **July 27, 2020**.

STA Advisory: Section 309(f) of the Communications Act of 1934, as amended, authorizes the Commission to grant STA in cases of "extraordinary circumstances requiring temporary authorizations in the public interest and when delay in the institution of the temporary operations would seriously prejudice the public interest." However, Section 309(f) is not a means by which a licensee/permittee may circumvent established processing procedures which require the filing of an application, nor is it a means by which a broadcaster may enhance his facility or make operation more convenient for the broadcaster. Stations operating with less than licensed facilities under temporary authorities can be viewed as receiving the benefit of a larger protection area than that in which they are currently providing service.

Accordingly, Special Temporary Authorities by nature are to be temporary and are not intended for extended use. Licensees of stations operating under temporary authorities are reminded that timely restoration of permanent facilities is the responsibility of the licensee and should be undertaken expeditiously. Any request for extension of special temporary authorities carries an increased burden with each subsequent request.

Therefore, requests for extension of STA will be granted only where the licensee can show that one or more of the following criteria have been met:

- Restoration of licensed facilities is complete and testing is underway;
- Substantial progress has been made during the most recent STA period toward restoration of licensed operation; or
- No progress has been made during the most recent STA period for reasons clearly beyond the licensee's control, and the licensee has taken all possible steps to expeditiously resolve the problem.

Sincerely,

A handwritten signature in black ink, reading "Jerome J. Manarchuck". The signature is fluid and cursive, with the first name "Jerome" and last name "Manarchuck" clearly legible.

Jerome J. Manarchuck
Audio Division
Media Bureau

cc: Gary S. Smithwick, Esq. (via email only)